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Federal Agencies

February 8, 2005

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Mail Stop: Amendment**

Re: U.S. Utility Patent Application  
Appl. No. 09/732,914; Filed: December 11, 2000  
For: **Use of Multiple Recombination Sites with Unique Specificity in  
Recombinational Cloning**  
Inventors: CHEO *et al.*  
Our Ref: 0942.5010002/RWE/BJD/JKM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Thirteenth Supplemental Information Disclosure Statement;
2. List of cited references on Form PTO-1449 (2 sheets);
3. Copies of references **AL23, AS215, AT215 and AT216** listed on Form PTO-1449 (4 documents); and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.



Commissioner for Patents  
February 8, 2005  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

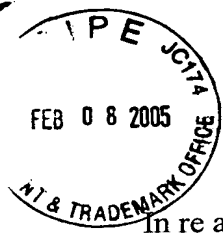
A handwritten signature in black ink, appearing to read "Brian J. Del Buono", with a stylized flourish at the end.

Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

BJD/JKM:bac  
Enclosures

362299\_1.DOC





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cheo *et al.*

Appl. No.: 09/732,914

Filed: December 11, 2000

For: **Use of Multiple Recombination  
Sites with Unique Specificity in  
Recombinational Cloning**

Confirmation No.: 2341

Art Unit: 1636

Examiner: Ketter, J.S.

Atty. Docket: 0942.5010002/RWE/BJD/JKM

**Thirteenth Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450  
Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The numbering on this Thirteenth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Twelfth Supplemental Information Disclosure Statement filed January 28, 2005, in connection with the above-captioned application.

Copies of documents **AG20-AK20** and **AA21-AI21** are not provided in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application."

Copies of documents **AR216** and **AS216** are not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in



37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is *sua sponte* waived where the cited pending application is stored in the USPTO's IFW system." A copy of each other document is provided.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

U.S. Patent Application No. 10/913,501, Chesnut *et al.*, filed August 9, 2004 and cited herewith as document **AR216**; and

U.S. Patent Application No. 10/970,635, Hanson, filed October 22, 2004 and cited herewith as document **AS216**.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to these applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior



art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Thirteenth Supplemental Information Disclosure Statement is being filed before the mailing of a First Office Action after the filing of a Request for Continued Examination Under 37 C.F.R. § 1.114. No statement on fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

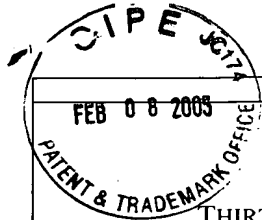
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

Date: Feb. 8, 2005  
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360314\_1.DOC





FORM PTO-1449

**THIRTEENTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**

ATTY. DOCKET NO.  
0942.5010002/RWE/BJD/JKM

APPLICATION NO.  
09/732,914

APPLICANT(S)  
Cheo *et al.*

FILING DATE  
December 11, 2000

ART UNIT  
1636

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG20	6,040,138	03/21/2000	Lockhart <i>et al.</i>			09/15/1995
	AH20	6,303,301	10/16/2001	Mack			05/29/1998
	AI20	6,309,822	10/30/2001	Fodor <i>et al.</i>			12/23/1996
	AJ20	6,333,155	12/25/2001	Lockhart <i>et al.</i>			12/18/1998
	AK20	2002/0162126	10/31/2002	Beach <i>et al.</i>			05/24/2001

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL23	WO 01/68836	09/20/2001	WIPO			Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

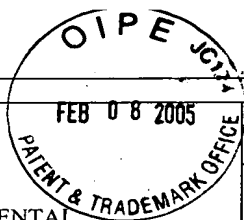
	AR		
	AS	<u>215</u>	Baum, J.A., "Tn5401, a New Class II Transposable Element From <i>Bacillus thuringiensis</i> ," <i>J. Bacteriol.</i> 176:2835-2845, American Society for Microbiology (1994)
	AT	<u>215</u>	Office Action for U.S. Patent Application No. 10/796,868, mailed on January 25, 2005

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.





FORM PTO-1449

**THIRTEENTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**

ATTY. DOCKET NO.  
0942.5010002/RWE/BJD/JKM

APPLICATION NO.  
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1636

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA21	6,544,790	04/08/2003	Sabatini			09/18/2000
	AB21	2003/0135888	07/17/2003	Zhu <i>et al.</i>			09/26/2002
	AC21	2003/0175772	09/18/2003	Wang			12/26/2002
	AD21	2004/0040053	02/26/2004	Nomura <i>et al.</i>			11/22/2002
	AE21	2004/0219516	11/04/2004	Bennett <i>et al.</i>			07/18/2003
	AF21	2004/0229229	11/18/2004	Cheo <i>et al.</i>			08/14/2003
	AG21	2004/0253631	12/16/2004	Hartley <i>et al.</i>			07/19/2004
	AH21	2004/0265863	12/30/2004	Chesnut <i>et al.</i>			03/04/2004
	AI21	2005/0009091	01/13/2005	Hartley <i>et al.</i>			08/19/2004
	AJ						
	AK						

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	<u>216</u>	U.S. Patent Application No. 10/913,501, Chesnut <i>et al.</i> , filed August 9, 2004 (NOT PUBLISHED)
	AS	<u>216</u>	U.S. Patent Application No. 10/970,635, Hanson, filed October 22, 2004 (NOT PUBLISHED)
	AT	<u>216</u>	Short, J.M. <i>et al.</i> , "λ ZAP: a bacteriophage λ expression vector with <i>in vivo</i> excision properties," <i>Nucleic Acids Research</i> 16:7583-7600, IRL Press Limited (1988)

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DATE CONSIDERED

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